

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
Civil Action No. 1:10-cv-716

Joseph Trinidad and Anthony Paupaw,

Plaintiffs,

v.

Ocwen Loan Servicing, LLC and Saxon
Mortgage Service,

Defendants.

**MOTION TO EXTEND TIME TO
RESPOND TO THE PETITION FOR
TEMPORARY INJUNCTION**

NOW COMES Defendant Ocwen Loan Servicing, LLC ("Ocwen"), by and through counsel and pursuant to Federal Rule of Civil Procedure 6(b), and timely requests that the Court enter an order extending the time for Ocwen to respond to the "Petition for Temporary Injunction" for twenty (20) days up to and including November 3, 2010. In support of this Motion, Ocwen respectfully shows unto the Court as follows:

1. On September 17, 2010, Joseph Trinidad and Anthony Paupaw, acting *pro se*, filed a document entitled "Original Petition" [#1] in the above-referenced case.
2. On that same day, Plaintiffs Trinidad and Paupaw filed a "Petition for Temporary Injunction" [#2].
3. Both the "Original Petition" and the "Petition for Temporary Injunction" contain nearly twenty five pages of sweeping allegations against the Defendant and the lending industry in general.
4. The Court has previously granted Ocwen's timely request for a twenty-day extension of time to respond to the Original Petition; the new due date being November 3, 2010.

5. By notice received yesterday, Ocwen has up to and including October 19, 2010 to respond to the Petition for Temporary Injunction.
6. Plaintiffs' Petition for Temporary Injunction appears to seek an order from this Court enjoining the scheduled sale of the property located at 3513 Covent Oak Court, High Point, North Carolina 27265.
7. Said sale was originally scheduled to be held on October 26, 2010.
8. Ocwen, by and through undersigned counsel, has agreed to postpone the sale of the property until Tuesday, November 30, 2010.
9. The Notice of Postponement of Sale is attached hereto as **EXHIBIT A** and will be posted at the Guilford County Courthouse on October 26, 2010 per N.C. Gen. Stat. § 45-21.21(a)(5).
10. Therefore, Ocwen asks that it be given additional time, up to and including November 3, 2010, to file an opposition to the Petition for Temporary Injunction to allow it sufficient opportunity to fully investigate and respond to the numerous statutory and common law claims included in both the Original Petition and Petition for Temporary Injunction.

WHEREFORE, Defendant Ocwen Loan Servicing, LLC respectfully prays that the Court:

1. Enter an order extending the time for Ocwen Loan Servicing, LLC to respond to the Petition for Temporary Injunction up to and including November 3, 2010.
2. Grant such other and further relief as the Court deems just and proper.

This the 15th day of October, 2010.

/s/ Mathias H. Hunoval
North Carolina Bar Number: 31603
The Hunoval Law Firm, PLLC
501 Minuet Lane, #104A
Charlotte, NC 28217
Telephone: (704) 334-7114
Facsimile: (704) 417-3225
E-mail: matt@hunovallaw.com
Attorney for Ocwen Loan Servicing, LLC

EXHIBIT A

110.272

Present Record Owner: Joseph Trinidad and Andrew Paupaw a/k/a Anthony Paupaw and Bernadette Trinidad

STATE OF NORTH CAROLINA

COUNTY OF Guilford

IN THE GENERAL COURT OF JUSTICE
BEFORE THE CLERK
10-SP-273

IN THE MATTER OF THE FORECLOSURE
by Poore Substitute Trustee, LTD, Substitute
Trustee of a Deed of Trust executed by **Joseph
Trinidad, Bernadette L Trinidad, and Andrew
Paupaw**, dated **December 21, 2005** and recorded
on **December 22, 2005**, in Book **6455** at Page **2561**, and
of the **Guilford** County Public Registry.

NOTICE OF POSTPONEMENT OF SALE

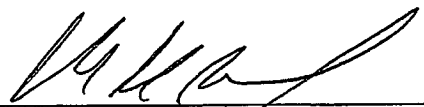
FOR GOOD CAUSE, The Hunoval Law Firm, PLLC, Attorney for Poore Substitute Trustee, LTD, as Substitute Trustee, hereby postpones the captioned foreclosure sale originally scheduled to be held Tuesday, October 26, 2010 at 10:00 AM 2010 at the Guilford County Courthouse.

This sale is hereby rescheduled for Tuesday, November 30, 2010 at 10:00 AM at the Guilford County Courthouse. The reason for this postponement is to allow the debtor time to redeem the property.

Except as amended by this Postponement of Sale, the above sale will be held and conducted in all respects in accordance with the Notice of Sale of Real Estate filed in this proceeding.

Dated: October 26, 2010

The Hunoval Law Firm, PLLC, Attorney for
Poore Substitute Trustee, LTD as
Substitute Trustee

By: 
Trustee-Attorney-Agent
501 Minuet Lane, Suite 104 A
Charlotte, NC 28217

Posted: October 26, 2010

Witness: _____
Assistant/Deputy Clerk of Superior Court

CERTIFICATE OF SERVICE

I hereby certify that on October 15, 2010 I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system.

And I hereby certify that I have mailed the foregoing to the following non CM/ECF participants:

Joseph Trinidad and Anthony Paupaw
3513 Covent Oak Court
High Point, North Carolina 27265

Plaintiffs, pro se

/s/ Mathias H. Hunoval
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Attorney for Ocwen Loan Servicing, LLC